

EXHIBIT N

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

DR. SARI EDELMAN,

Plaintiff,

-against-

NYU LANGONE HEALTH SYSTEM, NYU LANGONE HOSPITALS, NYU LANGONE MEDICAL CENTER, NYU LANGONE NASSAU RHEUMATOLOGY, NYU SCHOOL OF MEDICINE, NYU GROSSMAN SCHOOL OF MEDICINE, NYU HOSPITALS CENTER, ANDREW T. RUBIN, DAVID KAPLAN, JOSEPH ANTONIK, and JOSHUA SWIRNOW,

Defendants.

-----X

Plaintiffs, by and through their counsel Milman Labuda Law Group PLLC, make the following disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure.

**(A) INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION
RESPONSE:**

1. Sari Edelman, c/o Milman Labuda Law Group PLLC. This individual has knowledge about the Plaintiff's claims.
2. Andrew T. Rubin, c/o Tarter Krinsky & Drogin LLP. This individual has knowledge about the Plaintiff's claims and Defendants' defenses.
3. David Kaplan, c/o Tarter Krinsky & Drogin LLP. This individual has knowledge about the Plaintiff's claims and Defendants' defenses.
4. Joseph Antonik, c/o Tarter Krinsky & Drogin LLP. This individual has knowledge about the Plaintiff's claims and Defendants' defenses.
5. Joshua Swirnow, c/o Tarter Krinsky & Drogin LLP. This individual has knowledge about the Plaintiff's claims and Defendants' defenses.

Case No.: 1:21-cv-502 (LGS) (GWG)

**PLAINTIFF'S FIRST AMENDED
RULE 26 DISCLOSURES**

6. Dr. Andrew J. Porges, M.D., c/o Tarter Krinsky & Drogin LLP. This individual has knowledge about the Plaintiff's claims and Defendants' defenses.

7. Epic Systems Corporation. This entity has knowledge about documents produced in discovery and the means to authenticate same.

8. All similarly situated persons who are presently or were formerly employed by Defendants.

9. All present and former employees, managers, owners, officers, or shareholders of Defendants or any other entities affiliated with or controlled by Defendants, who have personal knowledge regarding Plaintiff's employment and similarly situated employees.

10. All present and former employees who worked in Defendants' payroll department who have personal knowledge regarding Plaintiff's employment and compensation as well as that of those employees who are similarly situated together with their male counterparts.

(B) RELEVANT DOCUMENTS

RESPONSE:

Plaintiff possesses documents, data compilations, and tangible things that are relevant to the disputed facts including but not limited to Plaintiff's agreement with Defendants, correspondence between the parties, and correspondence between Plaintiff and patients. All of the documents referred to above may be inspected at the offices of Milman Labuda Law Group PLLC.

(C) COMPUTATION OF DAMAGES

RESPONSE:

Plaintiff claims damages for:

(i) wages consisting of the differential in pay between herself and that of her male counterparts, for past and future loss of wages and benefits, in an amount to be determined at trial, but currently calculated at \$1,290,000.00;¹

¹ Calculated as: (i) \$340,000.00 - \$207,000.00 = \$133,000.00 x two (2) years; plus (ii) \$500,000.00 - \$278,000.00 = \$222,000.00 x two (2) years; plus (iii) \$510,000.00 - \$278,000.00 = \$232,000.00 x two (2) years; plus (iv) \$255,000.00 - \$139,000.00 = \$116,000.00.

- (ii) back pay and front pay in an amount to be determined at trial, but currently calculated at \$137,400.00;²
- (iii) liquidated damages in an amount to be determined at trial, but currently calculated at \$5,160,000.00;³
- (iv) compensatory damages for emotional distress in an amount to be determined at trial, but currently calculated at \$1,252,000.00;⁴
- (v) loss of good will and loss of Plaintiff's medical practice which amounts to no less than \$10,000,000.00;⁵
- (vi) punitive damages in an amount to be determined at trial, but currently calculated at \$2,504,000.00;⁶
- (vii) prejudgment interest in an amount to be determined at trial, but currently calculated at \$948,906.00 (plus compounding interest);⁷
- (viii) post-judgment interest, in an amount to be determined after judgment (plus compounding interest);⁸

² Calculated as \$27,800.00 per year in 2022, 2023, and 2024 for Defendants' 10% match into Plaintiff's retirement account, plus \$18,000.00 per year in 2022, 2023, and 2024 for Plaintiff's deposit into her retirement account.

³ Calculated as 300% of the amount set forth for wages consisting of the differential in pay between herself and that of her male counterparts, for past and future loss of wages and benefits, i.e., \$1,290,000.00 x 3.

⁴ Calculated as \$50,000.00 for emotional distress, plus \$380,000.00 tuition for her first daughter in NYU's medical school, plus \$132,000.00 for her second daughter's tuition at a special needs school, and \$690,000.00 for her second daughter's behavioral therapy as required due to Plaintiff being forced to relocate.

⁵ Based on the profitability of Plaintiff's practice during her lifetime.

⁶ Double Plaintiff's emotional distress damages.

⁷ Nine percent of the total damages sought herein.

⁸ 4.46% of the total damages sought herein.

and (ix) for attorneys' fees currently totaling \$200,000.00;⁹
as well as (x) costs currently totaling approximately \$10,000.00.¹⁰

(D) INSURANCE COVERAGE

RESPONSE:

Not applicable.

Plaintiff reserves the right to supplement these initial disclosures.

Dated: Lake Success, New York
April 3, 2023

MILMAN LABUDA LAW GROUP PLLC

/s/
Emanuel Kataev, Esq.
3000 Marcus Avenue, Suite 3W8
Lake Success, NY 11042-1073
(516) 328-8899 (office)
(516) 303-1395 (direct dial)
(516) 328-0082 (facsimile)
emanuel@mllaborlaw.com

Attorneys for Plaintiffs

VIA ECF

Tarter Krinsky & Drogin LLP
Attn: Richard L. Steer and Tara Toebs Carolan, Esqs.
1350 Broadway, 11th Floor
New York, NY 10018-0878
rsteer@tarterkrinsky.com
tcarolan@tarterkrinsky.com

Attorneys for Defendants

⁹ Calculated as of approximately March 1, 2023: (i) 225.2 hours x \$450.00 per hour; plus (ii) 139.5 hours x \$400.00 per hour; plus (iii) 49.8 hours x \$300.00 per hour; plus (iv) 37.8 hours x \$600.00 per hour; plus (v) 2.5 hours x \$300.00 per hour; plus (vi) 0.9 hours x \$300.00 per hour; plus (vii) 0.4 hours x \$500.00 per hour.

¹⁰ Filing fee, service costs, and deposition transcript costs for approximately seven (7) depositions.